

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEON GRIER,)
)
Plaintiff,)
)
v.)
)
MICHAEL CLARK, et al.,)
)
Defendants.)

Case No. 1:19-cv-117-SPB-RAL

MEMORANDUM ORDER

The within civil rights action was received by the Clerk of Court on April 23, 2019 and referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation (“R&R”) in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules for Magistrate Judges.

On April 7, 2020, Magistrate Judge Lanzillo issued an R&R, ECF No. [22], recommending that: (i) the Defendants’ motion to dismiss, ECF No. [15], be granted, (ii) the claims against Michael Clark be dismissed with prejudice, and (iii) the claims against Lt. Skinner and Michael Snider be dismissed without prejudice and with leave to amend.

Plaintiff’s objections to the R&R were due to be filed no later than April 24, 2020. As of this date, no objections have been received.

Accordingly, after *de novo* review of the Complaint and documents in the case, together with the Magistrate Judge’s report and recommendation, the following order is entered:

NOW, this 30th day of April, 2020;

IT IS ORDERED that the Defendants' motion to dismiss, ECF No. [15], shall be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that the claims against Defendant Michael Clark shall be, and hereby are, DISMISSED with prejudice.

IT IS FURTHER ORDERED that the claims against Defendants Lt. Skinner and Michael Snider shall be, and hereby are, DISMISSED without prejudice and with leave to amend on or before June 1, 2020. **In the event Plaintiff fails to amend his claims against Lt. Skinner and/or Michael Snider within the aforementioned time frame, the dismissal of said claim(s) shall be converted, without further notice, to a dismissal with prejudice and without further leave to amend.**

Finally, IT IS ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on April 7, 2020, ECF No. [22], shall be, and hereby is, adopted as the opinion of the court.



SUSAN PARADISE BAXTER
United States District Judge

cc: DEON GRIER
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(via U.S Mail, First Class)

The Honorable Richard A. Lanzillo (via CM/ECF)